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**REMARKS**

**I. Request For Constructive Assistance**

If, for any reason the claims of this application are not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP §707.07(j) in order that this application can be placed in allowable condition as soon as possible and without need for further proceedings.

**II. Rejection of Claims 42 and 49 Under 35 U.S.C. §112**

Examiner has rejected claims 42 and 49 under 35 USC 112 contending that there is insufficient antecedent basis for the limitation "the group of telephone number". This is incorrect. Applicant wishes to point out to Examiner multiple references in the specification where Applicant teaches such limitation. Please see the following: pg. 6 lns. 6-8, pg 18 ln 29 – pg 19 ln 3, and Fig. 5b (element 540).

**III. Rejection of Claims 41-56 Under 35 U.S.C. §102(e) as being unpatentable over Uhl**

Claims 41-56 stand rejected under 35 U.S.C. §102(e) as being unpatentable by Uhl (U.S. Patent 6,292,709). Applicant respectfully requests reconsideration of this rejection for at least the following reasons.

Examiner contends that Applicant Claim 41 "a second marking indicating that the mailpiece is undeliverable to the recipient" is anticipated by Uhl (Fig. 7, "FORWARD New Street 99, 65676 New City"). Fig. 7 and corresponding specification relates only to forwarding mail which is not taught or claimed by Applicant. **The fact that FORWARD information was found by a delivery service teaches precisely the opposite, which indicates that the mailpiece CAN BE delivered to the recipient.**

Examiner contends that Applicant Claim 41 "a third marking including access information for accessing a locator service via a communication network to assist the sender in locating current contact information for the recipient" is anticipated by Uhl (Fig. 7, "barcode for the new address"). Specification relating to Fig. 7 (col. 8, lns 12-24) teaches context which in the last sentence states the following, "which can be still read by the delivery person even if the background of the mail is restless." **Applicant does not teach assisting the delivery person but rather teaches assisting the sender.**

Applicant teaches generating information that assists the sender. However Uhl in no way teaches generating information that assists the sender. *Unlike Uhl, Applicant does not teach assisting the postal*

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*carrier in any way but rather Applicant teaches generating information that can benefit the sender instead.*

Uhl teaches improvements to the mail forwarding process whereas Applicant does not teach improvements to mail forwarding in any way but rather teaches how assistance can be provided to a sender after all mail forwarding techniques have been exhausted. Bottom line is that Uhl does not in any way teach returning mail to a sender that includes additional information for the purpose of helping sender attempt to locate a recipient.

Independent Claim 46 (which was rejected for same rationale) is not anticipated by Uhl for the same rationale as discussed above.

#### **Dependent Claims**

Examiner also makes reference to Uhl Figs. 9-12 and associated spec. regarding dependent claims. Though Fig. 9 relates to returned mail, corresponding specification (Uhl col. 9, lines 1-3) states it best which is that such information assists a delivery person with successfully returning the mail and does not assist the sender in any way. Figs. 11 and 12 also relate to returned mail but again does not in any way teach or suggest how such process can assist the sender after mail has been returned.

#### **Claim 56**

Examiner references Uhl (Fig. 12, "city of sender, your shopping paradise") which depicts a marking that may be interpreted as a form of advertisement. However, in no way does this depiction teach how such advertisement can assist the sender in locating the recipient after mail has been returned to sender. For example, knowledge of "City of Sender" in no way assists the sender with attempting to locate the recipient.

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IV. Conclusion

For all of the above reasons, the present application and pending claims 41-56, are believed to be in condition for allowance. Applicant respectfully requests the Examiner to issue a formal Notice of Allowance directed to claims 41-56, inclusive.

Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact the Applicant at the telephone number listed below.

Respectfully submitted,



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